

## PERMIT CHRONOLOGY

for

### Cedar Buttes

S/047/028

(June 14, 1994)

Note in file to Tom T. (undated): John Fairbanks, Washington Tar Sands disturbance on private land. 14 years ago initial disturbance occurred. North of Whiterocks, approximately 6 miles past "Whiterocks", then turn right; go ~1/2 mile then turn left ~2-2 1/2 miles. BIA has been notified. J. Scholes (land owner), his mother is just adjacent to property on Whiterock River. Check with land owner's mother before entering property.

September 30, 1981 DOE on Whiterocks submitted by Mark Lindsey of ENERCOR. Location is NW/4 NW/4 Section 19, T2N, R1E, UBM

July 19, 1984 Site inspection by DOGM & State Lands staff. Recent site disturbance. Total disturbance is probably greater than 2 acres, but much is pre-existing, although utilized currently. Suggested Mr. Fairbanks be contacted to file a DOE & submit a Notice of Intent.

August 2, 1984 Division letter to John Fairbanks (DOE/047/017) requesting submission of information concerning the mining activities.

September 7, 1984 Letter from Wasatch Tar Sands to the Division. Letter discusses arguments between John Blake, State Lands; and John Fairbanks, Wasatch Tar Sands, regarding a site on Seep Ridge. Operator asks what statute gives Division control on private property.

October 17, 1984 Certified Division letter to John Fairbanks. Letter clarifies distinction between State Lands & DOGM. Letter references Utah Mined Land Reclamation Act.

December 5, 1984 Internal Division memo suggesting inspection of Whiterocks disturbance.

December 6, 1984 Internal Division memo scheduling site inspection.

April 9, 1985 Internal Division memo describing 4/1/85 site inspection and permitting concerns. Main issue is deciding if redisturbing an existing disturbance is considered "disturbance" under the Act.

June 3, 1985 Certified Division letter to Wasatch Tar Sands, Inc. Letter requests submission of MR-1 form prior to July 1, 1985. Failure to do so will

- result in an Order to Show Cause before the Board of Oil, Gas & Mining.
- July 7, 1986 Internal Division memo describing phone conversation with Mark Lindsey regarding Whiterocks tar sand operation. No permit has been granted for this operation by the Division yet.
- August 21, 1986 File memo regarding site inspection. Division staff met onsite with John Fausett who is currently leasing the operation. He agreed to submit a MR-1 form and bond. Mr. Fausett only leases a 10% interest in the operation from John Fairbanks. The remaining interest is leased by Whiting Oil and Major Oil (Orem group).
- August 21, 1986 Division letter to John Fausett requesting completion of the enclosed MR-1 form. Additional forms for an exploration permit are also enclosed.
- December 18, 1986 Copy of advertisement by Fausett, Inc. stating asphalt for sale. Operated by John Edward and John Fausett. Division attempted to call 12/18/86 a.m. Mr. Fausett was not in.
- December 31, 1986 Certified Division letter to Mr. Fausett. No response to Division's August 21, 1986 letter has been received. Operator is asked to complete the enclosed MR-1 form by January 30, 1987. Failure to do so may result in an Order to Show Cause before the Board.
- January 7, 1987 File memo describing phone conversation with Mr. Fausett. He will have a response to the Division within a month. After the Division inspection in August, Mr. Fausett became aware that he did not hold a bona fide lease. Mr. Fairbanks had falsely represented himself as an agent for Whiting Oil. Mr. Fausett now has a legal and valid lease from Whiting Oil.
- February 2, 1987 Division receives MR-1 plan for Section 19, T2N, R1E and Section 24, T2N, R1W, completed and signed by John E. Fausett. The form states the operator has a purchase agreement of 45% and leases on the other 55%.
- February 24, 1987 File memo regarding recent site inspection and operator's MR-1 application. Approximately 6 acres are being utilized by the current


operation. Whiting Oil Company had previously disturbed approximately 7 acres. The southern boundary contains a 1 acre area which the operator should not be responsible for reclaiming.

March 5, 1987	Division letter to operator describing initial review comments of the MR-1 application form (4 pages). Many portions of the application form were left blank or answered with "None" or "Not Pertain." The review comments identify the additional information required before the permitting process can continue. A response by 4/5/87 is requested.
April 21, 1987	Division received comment sheet from Uintah Basin Association of Governments. No comment.
May 12, 1987	Division received copy of RDCC comments dated 4/14/87. RDCC concurs with Division that there would be little possibility for impact to cultural resources in the project area.
June 23, 1987	Division received second MR-1 submission. Form is unsigned, but more complete than the first MR-1 submission.
August 6, 1987	Division letter to Mr. Fausett. Letter acknowledges receipt of information requested. Changes in the Act affect the permitting of mining operations under 5 acres. The Division requests completion and submission of the enclosed MR-SMO form.
August 17, 1987	Division receives MR-SMO form, completed by John E. Fausett.
April 4, 1988	Inspection memo. Site appears to have been inactive for several months. The only noticeable change since 2/87 was the smaller stockpile.
February 6, 1989	Request for 1988 annual report.
February 5, 1990	Request for 1989 annual report.
February 16, 1990	Received annual report for 1989. Report was completed by T.A. Boker, President, Waterford Resources, Ltd. of Oklahoma.
December 31, 1990	Request for 1990 annual report.

June 21, 1991	Second request for 1990 report.
August 21, 1991	Division received 1990 report while on site. Report states that Waterford Resources was supposed to submit reports as part of a sales agreement.
August 29, 1991	Inspection memo. A sketch of the current operations is requested during the 8/21/91 inspection.
January 14, 1992	Request for 1991 annual report.
March 6, 1992	Received 1991 annual report.
January 4, 1993	Request for 1992 annual report.
December 21, 1993	Request for 1993 annual report.
May 20, 1994	Site inspection. Mr. John E. Fausett recently died. Robert Fausett will be the new contact in addition to Leon Fillingham, representing Duchesne County. Duchesne County has an agreement with the Fausetts. The County has been and will be the party actually performing the mining at the site. The north border of the current pit excavation is the USFS border. The USFS has had discussions with Mr. Fausett regarding the initiation of a tar sands/asphalt mine on USFS ground. The County will perform a survey of the site and generate a map. If the site is over five acres, the Division would negotiate reclamation to keep the small mine status or request a bond and large mine application. LMO-NOI forms and the Minerals Rules were distributed to both Leon and Robert.

June 15, 1994

PHONE CONVERSATION NOTES S/047/028

by Tony Gallegos, DOGM 

On June 13, 1994, AM, I received a call from Robert Fausett 353-4312. He had received a copy of the Division's inspection memo and it appeared correct to him except for one thing. He has not been operating at the site. Duchesne County has been doing the mining under an agreement with the Fausetts. So, does the County need to file an application? Who originally filed the application? -> I told him I would have to check the file to see who originally filed the NOI. If the County is going to be the operator and if the original NOI was filed by John Fausett then we would need to complete a transfer of the operations. I'm not sure who would sign the transfer form-Robert or his mother. I told Robert I would call back that afternoon with any information. -Would Robert have to file a NOI for his own operation? -> Yes, if he is going to be operating a separate operation.

June 13, 1994, PM, I left a message on the Fausett's answering machine. I had not been able to complete a review of the file yet. I hoped to have some information for him by tomorrow.